



APPLICATION FOR A STANDARD AQUACULTURE LEASE

SUSPENDED AQUACULTURE

NO DISCHARGE

This is an application for a standard aquaculture lease, using suspended culture where there is no discharge into marine waters. A standard aquaculture lease may be up to 100 acres in size and may be issued for a term of no longer than ten years. Suspended culture is the use of any gear, whether floating or submerged. This application is not for net pen culture, for which there is a separate application. You are encouraged to review the aquaculture lease regulations to obtain a more complete understanding of the lease process. Applications, rules and statutes are all available at the DMR website – www.maine.gov/dmr/aquaculture

YOU ARE REQUIRED TO ATTEND A PRE-APPLICATION MEETING WITH THE DEPARTMENT PRIOR TO CONDUCTING FIELD WORK AND COMPLETING THE APPLICATION. CALL THE AQUACULTURE ENVIRONMENTAL COORDINATOR, JON LEWIS, AT 207-633-9500 TO SET UP A MEETING. AN APPLICATION WILL NOT BE CONSIDERED COMPLETE UNTIL A PRE-APPLICATION MEETING IS HELD.

Following the Maine Department of Marine Resources (“MDMR”) application are supplemental requirements and procedures which are part of a joint Federal and State of Maine effort to facilitate the processing of applications for suspended aquaculture permits. Permitting agencies covered by the supplemental application requirements and procedures are:

U.S. Army Corps of Engineers New England Division, ACOE
(Section 10 of the Rivers and Harbors Act of 1899);

State of Maine Department of Environmental Protection, MDEP
(38 M.S.R.A. § 413, Waste Discharge Program).

The Maine Department of Marine Resources requires a **non-refundable** fee for aquaculture applications based on acreage:

Less than

1 to 10

11 to 50

51 to 100

1acre	acres	acres	acres
\$ 100	\$ 250	\$ 500	\$ 1000

Mailing Instructions:

Provide one copy of your application to the MDMR address listed below. The applicant shall be notified upon receipt when the application has been reviewed and accepted as complete by the MDMR.

DEPARTMENT OF MARINE RESOURCES
ATTN: Mary Costigan, Aquaculture Administrator
P.O. Box 8
West Boothbay Harbor, Maine 04575

Provide one copy of your application for the Maine Department of Marine Resources, **a completed U.S. Army Corps of Engineers application form [ENG Form 4345 (attached)]**, the U.S. Army Corps of Engineers Supplemental Information, and U.S. Environmental Protection Agency Supplemental Information to the U.S. Army Corps of Engineers New England Division, address listed:

U.S. ARMY CORPS OF ENGINEERS
MAINE PROJECT OFFICE
ATTN: Aquaculture Coordinator
RR 2, Box 1855
Manchester, ME 04351

A. THE LEASE APPLICATION PROCESS: WHAT TO EXPECT

The following information outlines the process leading to the approval of an aquaculture lease. For more specific information, see the DMR regulations, Chapter 2 and 12 M.R.S.A. § 6072.

1. **Pre-application Meeting.** Prior to completing your application, please contact the Department to set up a pre-application meeting. Applications submitted without a pre-application meeting will not be considered complete.
2. **Submit Application.** Applicant submits application to Department of Marine Resources. DMR will make a determination as to whether or the not your application is complete. If incomplete, you will receive a letter asking for further information. If complete, DMR will forward your application to other regulatory agencies, the municipality and riparian landowners.
3. **Public Scoping Session.** DMR will determine whether or not to conduct an informal public scoping session on the application. The applicant is required to attend the scoping session. A decision of whether or not to conduct a public scoping session will be made after an application is deemed complete.
4. **DMR Site Review.** You will be contacted to schedule a site review of your proposed lease area. This review will be an on-site inspection of the proposed lease area. A number of environmental measurements and a SCUBA dive will be made on the site. Your presence at the site review will be requested. DMR staff will develop a report of the site review. Site reviews must take place between April 1st and November 15th.
5. **Public Hearing.** An adjudicatory aquaculture lease hearing is a requirement for all applicants under the MDMR Aquaculture Lease Regulations. MDMR 12 M.R.S.A. §6072(6).
6. **Public Notice.** The applicant shall give at least 2 weeks notice of the hearing by publication of an advertisement in a newspaper of general circulation that serves the area in which or adjacent to which the lease is proposed. The advertisement must state, at a minimum, the location, date, time, and purpose of the hearing and must indicate how a copy of the application and the department site review may be obtained (Sec. 2. M.R.S.A. §6072, sub-§6, ¶D). The applicant **must** bring a copy of the public notice to the public hearing and present it to the Hearings Officer. At least **60** days prior to the public hearing, the applicant shall place visible markers which delineate the area proposed to be leased.
7. **Decision.** The DMR Hearings Officer will prepare a report including proposed findings of fact, conclusions of law, and if requested by the Commissioner, a recommended decision to grant or deny the lease. The Hearing Officer's proposed decision will be sent to all legal parties, who will have ten days to comment on the proposed decision. The Commissioner will make a final decision to grant or deny the lease within 120 days of the public hearing.
8. **Requirements After a Lease is Granted.** The lessee must:

- a. Establish an escrow account or secure a performance bond in the amount required by DMR in the lease.
 - b. Record the lease in the Registry of Deeds of each county in which the lease area is located. (DMR will assist you with this requirement).
 - c. Publish a notice in a newspaper of general circulation in the area affected. (DMR will assist you with this requirement).
 - d. Mark the lease site with the appropriate buoys. (DMR regulations, Chapter 2.80)
 - e. Submit to the Commissioner an annual report of lease activities.
 - f. Pay the annual rental fee of \$50 per acre.
9. **Revocation.** The Commissioner may commence revocation procedures if he determines that substantial aquaculture has not been conducted within the preceding year or that the lease activities are substantially injurious to marine organisms. If any of the conditions or requirements of a lease are not being observed, the Commissioner may revoke the aquaculture lease. 12 M.R.S.A. § 6072(11).
 10. **Transfer.** A lessee may apply for Department approval of the transfer of his aquaculture lease to another person for the remaining portion of the lease term. A lease transfer shall be an adjudicatory proceeding.
 11. **Renewal.** A lessee must file with the Department an application to renew a lease no later than 6 months prior to the lapse of the prior lease. Renewal of a lease shall be an adjudicatory proceeding.

B. REQUIREMENTS AND RESTRICTIONS

Aquaculture lease must comply with the following state and federal regulations:

1. **Essential Habitats and Eagle Nests:** Aquaculture leases generally must not be closer than 1/4 mile from eagle nests or Essential Habitats as regulated by Maine Department of Inland Fish & Wildlife (MDIF&W) under authority of the Maine State Endangered Species Act and in accordance with guidelines of other endangered and threatened species developed by MDIF&W. MDIF&W Essential Habitat Maps are available **for review** at the following offices: MDIF&W Regional Offices, county government, Registrar of Deeds offices, affected town offices, Regional Planning Commission offices and many state agencies. The maps are also available on the MIF&W website at www.maine.gov/ifw. Maine State Endangered Species Act 1975, 12 M.R.S.A. §7751 et seq.
2. **Lease Required:** Except as provided in paragraphs B and B-1 of 12 M.R.S.A. § 6072, it is unlawful for a person who does not have a lease issued by the commissioner under this section to construct or operate in the coastal waters of the State a facility for the culture of finfish in net, pens or other enclosures or for the suspended culture of any other marine organism. MDMR 12 M.R.S.A. §6072(1-A).
3. **Water Quality Classification:** The State's Water Classification Program prohibits any discharge into Class SA waters. Review MDEP Water Classification Program for restricted areas as described in 38 M.R.S.A. Article 4-A.
4. **Water Discharges:** Review 38 M.R.S.A. § 413 for information regarding National Pollution Discharge Elimination System Permits.
5. **Lease Conditions:** The Commissioner may establish conditions that govern the use of the lease area and impose limitations on aquaculture activities.

C: APPLICATION COVER SHEET

Name: _____

Address: _____

City: _____

County: _____

State, zip _____

Telephone: business _____ home _____ cell _____

Email address: _____

Date of Pre-application meeting: _____

town

county

waterbody

Location of lease site: _____

Total acreage requested: _____
(100-acre maximum)

Lease Term requested: _____
(10-year maximum)

Name of species to be cultivated, common and scientific names:

Name and address of the source of seed stock, juveniles, smolts, etc., to be cultivated:

Amount of application fee enclosed: _____

I hereby state that the information included in this application is true and correct and that I have read and understand the requirements of the Department's rules governing aquaculture.

Signature: _____ Date: _____

D. APPLICATION INFORMATION REQUIREMENTS

Answer all questions under each Section as completely as possible.

This application includes questions on general information, site location, site development, operation, environmental characterization, area resources, surrounding area use, technical capabilities, financial capabilities, and a list of certifications, licenses, etc.

Definitions from the MDMR Aquaculture Lease Regulations:

Aquaculture: The culture or husbandry of marine organisms by any person. Storage or any other form of impounding or holding wild marine organisms, without more, shall not qualify as aquaculture. In order to qualify as aquaculture, a project must involve affirmative action by the lessee to improve the growth rate or quality of the marine organism.

Culture or Husbandry: The production, development or improvement of a marine organism.

Riparian Owner: A shorefront property owner whose property boundaries are within 1000 feet of the proposed lease boundaries.

Existing or Potential Uses: All water-related activities and resources including, but not limited to, commercial and recreation fisheries, marine transportation, aquaculture, and boating.

Adverse Effects: Impediments to water-related activities or unreasonable interference with natural processes supporting those activities. This includes, but is not limited to, floating or submerged obstruction, habitat destruction, natural flora and fauna displacement, current flow alteration, and lowered water quality.

Please read all instructions before completing. Applications must be typed and **reproducible**. Please use 8 1/2" x 11" paper with a 3/4" margin at the top; **use the numbering system listed for each item requested**. All drawings, charts and plans must adequately show the proposed project. It is recommended that any plans, drafts, charts, etc., be certified by a professional engineer.

1. SITE LOCATION

a. Vicinity Map

Use a NOAA chart or USGS Topographic map to show the waters and shorelands within the general vicinity of the lease tracts depicting the lease area.

b. Plan View

An enlargement of a NOAA chart or USGS Topographic map is suggested to provide this information. Exact location of lease described as follows:

1. Mark entire lease boundary.
2. Show depth contours and indicate mean low water and mean high water on all land adjacent or nearest site.
3. Show primary ebb and flood directions.
4. Mark true north with arrow.
5. Include scale used.
- 6a. Label the location of Federal projects, navigational channels, any structures, existing aquaculture leases within 2000 feet or state or federal beaches, parks or docking facilities within 1000 feet.
7. Provide the latitude, longitude and State Plane Coordinates for each corner of the entire lease or the metes and bounds of the lease.

2. SITE DEVELOPMENT

This section is intended to provide accurate plans depicting the physical structures to be placed on the proposed operation.

a. Single Structure Schematic - Top View

Provide dimensions, materials, labels, etc.

b. Single Structure Schematic - Cross Section

Provide dimensions, materials, labels, etc.

c. Maximum Structure Schematic - Top View

Provide dimensions, mooring connections, labels, etc.

d. Maximum Structure Schematic - Cross Section

Provide dimensions, mooring connections, labels, etc.

- e. On-Site Support Structures
 - 1. Describe structures such as barges, sheds, etc., to be located on-site. Provide a schematic and indicate the dimensions, including height above sea level, materials, etc.
 - 2. Describe the storage and use of oil, gasoline or other hazardous material on this facility. If petroleum products are to be used, provide a spill prevention plan.
 - 3. Describe the type and location of any sanitary facility.
- f. Mooring Plan - Cross Section

Provide a schematic and description of materials of the mooring system in place on the sea-floor. Include depths from structure(s) to sea-floor relative to MLW and MHW.
- g. Mooring System Adequacy

Provide a schematic of the mooring array for a structure(s) and a description of its ability to withstand severe storms, surge, equipment break-up, etc. Include dimensions and materials, etc.
- h. Structure(s) and Mooring Array Schematic - Maximum Structure Array

Provide a schematic of the maximum area to be utilized by structure(s) and moorings on the proposed lease.
- i. Equipment Layout

Provide schematic or photographic renderings of the generalized layout of the equipment as depicted from two vantage points on the water. Provide the locations of the two vantage points.
- j. Gear Color

Provide the color of the gear and structures proposed to be used at the lease site.

3. OPERATIONS

- a. Production Activities
 - 1. List and describe your proposed activities including boat traffic, routine schedules, cultivation techniques, monitoring schedule, transport schedule, predator control methods, (net) cleaning and maintenance (methods, frequency and location), harvest schedule, harvest technique and processing methods.
 - 2. Describe the start-up and projected maximum production on a 12-month basis. Also state the maximum stocking density.
 - 3. Provide documentation that the equipment that will be used on the lease site is the best available technology for the proposed activity.

b. Noise and Light

1. Provide the type of powered equipment, if any, that will be used on site, including, but not limited to boats, barges, power washers, generators, upweller motors, harvesting or seeding equipment, and feeding equipment. Vessels moving to and from the site are considered exempt from the noise impact consideration.
2. Indicate generally when, how often and for how long this equipment will be used (i.e. daily, weekly, only during harvesting).
3. Specify what will be used to reduce the noise level from the powered equipment, i.e., mufflers, etc. You do not need to provide decibel or frequency ratings unless they are known or provided by the equipment manufacturer.
4. Provide the number, type (whether the fixtures are shielded), wattage and location of lights, other than those used for navigation or marking, that will be used at the proposed lease site.
5. Indicate under what circumstances you might work at your site beyond daylight hours.

4. ENVIRONMENTAL CHARACTERIZATION

The MDMR aquaculture lease regulations specify applicants may do more than one site evaluation, but one evaluation must be completed between April 1 and November 15, dates inclusive.

a. Environmental Characterization

Provide the environmental evaluation used to select the proposed lease tract(s). Descriptive information shall include but not be limited to: bottom characteristics (include but not limited to sediment types, distribution and topography), resident marine and upland flora and fauna (species are very abundant, common, rare), tide levels, current speed and direction.

5. AREA RESOURCES

a. Shellfish Beds, Fish Migration Routes and Submerged Vegetation Beds

Provide a description of shellfish beds, fish migration routes and other marine resources in the surrounding area. Provide a map of these resources if available from the local municipality or state agencies.

Provide the shellfish growing area classification for the area of the proposed lease. The classifications are available at either the town office or from the Public Health Division of DMR. Contact information is available at the DMR website: www.maine.gov/dmr/rm/public_health

b. Essential Habitats/Endangered Species

Under the Maine Endangered Species Act a state agency or municipal government shall not permit, license, fund, or carry out projects occurring partly or wholly within an **Essential Habitat** without the approval of the Commissioner of MDIFW. Applicants are strongly encouraged to contact the Environmental Coordinator, Maine Inland Fisheries and Wildlife, 284 State Street, State House Station 41, Augusta, Maine 04333; Telephone (207) 287-3286. Applicants are requested to provide a signed statement to confirm the proposed lease **either** does not fall within the boundary of an Essential Habitat or that the applicant has contacted MDIF&W and by preliminary review MDIF&W will grant approval for the MDMR to issue an aquaculture lease within part or all of the boundary of a designated Essential Habitat.

6. SURROUNDING AREA USE

a. Riparian Property

1. Provide a tax map, chart, or topographic map showing the locations of the lease tract(s), the waters, shorelands and general vicinity of the lease tract(s). Property lines must be clearly marked.
2. List the names and addresses of every riparian owner of land within 1000 feet of the lease tract(s) and the location of their property marked as shown on the map. The map and list of riparian owners must be certified by the tax collector or clerk of the municipality in which the lease tract is located as being an accurate copy of this information as maintained by the municipality.
3. The written permission of every riparian owner whose land to the low mark will actually be used to access the lease site or upon which the lease activities will take place.
4. A description of riparian owner's current use of lease site for purposes of access to riparian owned land.

b. Existing Uses

1. Describe the navigational or other uses of the area(s) by type (recreational, commercial), volume, time (seasonal patterns of use), duration (in the vicinity), direction of traffic, amount of activity.
2. Describe the degree of exclusive use required by the proposed lease and the impact on existing or potential uses of the area.

7. TECHNICAL CAPABILITY

Provide information regarding professional expertise such as a resume' and documentation of technical expertise and practical experience necessary to accomplish the proposed project.

8. FINANCIAL CAPABILITY

- a. Financial Capability
Provide documentation to prove the applicant has the necessary financial resources for the proposed project. For example, the applicant may provide copies of bank statements or other evidence indicating availability of the unencumbered funds or other proof that equipment and seed stock are available to the applicant. See MDMR Aquaculture Regulations chapter 2.10(3)(9).
- b. Cost Estimates
Provide documentation of accurate and complete cost estimates of the proposed aquaculture activities.
- c. Other Lease Interests and Multiple Ownership
List all other aquaculture leases held by the applicant or in which the applicant has a financial interest.
- d. Other Lease Interests and Multiple Ownership Continued
If the applicant is a corporation, submit information as requested under A (Corporate Applicants). If the applicant is in a partnership, submit information as requested under B (Partnership Applicant). MDMR Aquaculture Regulations chapter 2.12(1)-(3).

A. Corporate Applicants

- 1. The date and State in which Incorporated and a copy of the Articles of Incorporation;
- 2. The names, addresses, and titles of all officers;
- 3. The names and addresses of all directors;
- 4. Whether the corporation, or any stockholder, director, or officer had applied for an aquaculture lease for Maine lands in the past, and the outcome or current status of that application or lease;
- 5. The names and addresses of all stockholders who own or control at least 5% of the outstanding stock and the percentage of outstanding stock currently owned or controlled by each such stockholder;
- 6. The names and addresses of stockholders, directors, or officers owning an interest, either directly or beneficially, in any other Maine aquaculture leases, as well as the quantity of acreage from existing aquaculture leases attributed to each such person under MDMR Aquaculture Regulations chapter 2.12(3);
- 7. Whether the corporation or any officer, director, or shareholder listed in item 5 above has ever been arrested, indicted, convicted of, or adjudicated to be

responsible for any violation of any marine resources or environmental protection law, whether state or federal.

B. Partnership Applicant

1. The date and state in which the partnership was formed and a copy of either the Certificate of Limited Partnership or documentation of the formation of a General Partnership;
2. The names, addresses, and ownership shares of all partners;
3. Whether the partnership or any partner has applied for an aquaculture lease for Maine lands in the past and the outcome or current status of that application or lease;
4. Whether the partnership or any partner owns an interest, either directly or beneficially, in any other Maine aquaculture leases as well as the quantity of acreage from existing aquaculture leases attributed to the partnership or partner under MDMR Aquaculture Regulations chapter 2.12(3);
5. Whether the partnership or any partner has been arrested, indicted or convicted of or adjudicated to be responsible for any violation of marine resources or environmental protection law, whether State or Federal.

9. OTHER REQUIREMENTS

The following items must accompany the application:

a. Performance Bond

Documentation confirming that the applicant has read MDMR Aquaculture Regulations chapter 2.40 and that upon issuance of a lease by the MDMR the lessee will either open an escrow account or obtain a performance bond determined by the nature of the aquaculture activities proposed as follows -

<u>Lease Category</u>	<u>Amount of Required Escrow or Performance Bond</u>
No structure, no discharge	\$ 500.00
No structure, discharge	\$ 500.00
Structure, no discharge	\$

Total combined area of all structures on lease:

=400 square feet	\$1,500.00
>400 square feet	\$5,000.00
Structure, discharge	\$ 25,000.00



*U.S. Army Corps of Engineers New England Division (ACOE)
Supplemental Information*

Revised Standard Siting Requirements and Standard Permit Conditions 01/17/97

A copy of these revised "STANDARD SITING REQUIREMENTS" and "STANDARD PERMIT CONDITIONS", together with other supplemental information required by the ACOE, shall be included with the "Application for Suspended Aquaculture in the State of Maine" submitted to MDMR.

These STANDARD SITING REQUIREMENTS and STANDARD PERMIT CONDITIONS will be fully employed unless a decision to deviate from them is made by the Division Engineer after a meeting between the objecting Federal Resource Agency(s) Regional Director/Administrator and the Division Engineer and/or Commander, U.S. Coast Guard (or the designated acting Director/Administrator/Commander) is held pursuant to the local procedures under the 404Q MOA.

A. STANDARD SITING REQUIREMENTS

1. Structures shall not be located closer than 1000 feet from municipal, State or federally owned beaches, parks or docking facilities.

2. Structures shall not be located closer than 1500 feet from any area designated as high use or critical habitat for any threatened or endangered species protected under Federal law. Examples of such areas include bald eagle nest sites and concentration areas used for roosting and feeding. Because bald eagles are protected under the Federal Endangered Species Act of 1973, permits will not be issued to kill eagles that are preying on fish at aquaculture sites (U.S. Fish and Wildlife, National Marine Fisheries Service).

3. Structures shall not be located in or within 1500 feet of any area named in acts of Congress or presidential proclamations such as national parks, national wilderness areas, national recreation areas, national

lakeshores, national natural landmarks, national wildlife refuges, and such areas as may be established under federal law for similar and related purposes.

B. STANDARD PERMIT CONDITIONS

1. Aquaculture operations shall not interfere with breeding, pupping, or sensitive aggregation area of any federally listed marine mammals (Marine Mammal Protection Act of 1972, as amended 16 USC § 1372). Specific species and known sensitive areas and times are available from the Protected Species Coordinator, National Marine Fisheries Service, Habitat and Protected Resources Division, One Blackburn Drive, Gloucester, MA 01930-2298; Telephone (508) 281-9254.
2. The permittee must report any incidental take of marine mammals within 48 hours of the event. For information, contact: Protected Species Coordinator, Habitat and Protected Resources Division, National Marine Fisheries Service, Northeast Region, 1 Blackburn Drive, Gloucester, MA 01930-2298; telephone 508-281-9254.
3. The applicant must report any bird entanglements or kills within 48 hours to the Special Agent, U.S. Fish and Wildlife Service, P.O. Box 7342, Portland, ME 04112; Telephone 207-780-3235. The Migratory Bird Treaty Act (16 U.S.C. 703-712) protects migratory bird species from unauthorized and unregulated taking activities. The Act prohibits, by any means or in any manner, the direct or indirect capture, possession, or destruction of any migratory bird, its nest, its eggs, its young, or any parts thereof. Most bird species that would be found around aquaculture sites are protected by the MBTA, but specific questions can be directed to the Special Agent.
4. The aquaculture facility must be open for inspection by the permitting agency(ies) personnel during working hours. In addition the permittee shall make records available upon request by said agency(ies).
5. If, based on a review of environmental monitoring data, degradation of environmental resources, to include Federal and State water quality standards, is indicated, this permit may be modified, suspended or revoked.
6. Boundary markers around the lease area shall be placed and maintained in accordance with appropriate Coast Guard Regulations. The permittee shall contact the First Coast Guard District, Aids to Navigation Office at 617-223-8338.
7. Except in the surface areas physically occupied by the structures, the permittee shall permit normal fishing and/or recreational and commercial boating activity to occur in the project area.
8. The exact location of the State lease boundary (boundary coordinates) shall be sent by the permittee to the National Ocean Survey, NOAA, ATTN: Director of Charting and Geodetic Services, Rockville, Maryland 20852.

C. SUPPLEMENTAL TO MDMR APPLICATION INFORMATION REQUIREMENTS.

2. SITE LOCATION

b. Plan View

6b. Also, label weirs within 2000 feet and other similar constraints.

c. Aerial photo

Mark the boundary of the lease area with dimensions and true north arrow. The photo must have been taken during the twelve month period prior to the filing of the application and the date on which it was taken must be noted.

4. OPERATIONS

b. Upland Facilities or Holdings

1. Describe shoreside facilities or holdings to be used for various activities including feed transport, processing, etc.

c. Current Operations

1. Describe your existing water-based facilities and operations.

7. SURROUNDING AREA USE

b. Existing Uses

3. Provide the name and address of individuals, ie. mooring owners, fishermen, draggers, etc. who actively use the proposed site.

c. Point Source Discharge

Describe the location and proximity of the proposed lease to any point source discharges or facilities (sewage treatment plants, seafood processing plants, power plants, industrial facilities, stormwater drains, etc.). The US Coast Guard, local harbormaster or municipal officials may be able to provide this information.

10. OTHER REQUIREMENTS

b. Local Approvals

Documentation of approval from the local Harbormaster or other official serving in an equivalent capacity;

c. U.S. Coast Guard

Documentation confirming the applicant has read the regulations listed below and understands that a Private Aid to Navigation Permit will be required. The U.S. Coast Guard may require lighted aids to navigation on net-pen aquaculture structures pursuant to 33 CFR §§2,62,64,66 and 14 USC §§83,84,85. Instructions for obtaining a USCG permit are available from Commander (OAN), 1st Coast Guard District, 408 Atlantic Avenue, Boston, MA 02210-2209 Telephone (617) 223-8338;

d. Seed/Stock Source Confirmation

Documentation confirming the applicant has complied with all State or Federal permit requirements regarding importation, restrictions, transfers (quarantines) or pathological/health inspections which may apply before any marine organism shall be introduced or transported to marine waters within the State of Maine;

e. Other

Copies of any letters or documentation in which you have obtained approval for activities relative to the proposed project.

11. ANTICIPATED EMPLOYMENT OPPORTUNITY

Describe the anticipated number and type of employment opportunities created by the project at start-up and proposed maximum production.

** RETURN APPLICATION AND PLANS TO: US ARMY CORPS OF ENGINEERS, MAINE
PROJECT OFFICE, RR2 BOX 1855, MANCHESTER, MAINE 04351

Instructions for preparing a Department of the Army Permit Application

Blocks 1 through 4. To be completed by Corps of Engineers.

Block 5. Applicant's Name. Enter the name of the responsible party or parties. If the responsible party is an agency, company, corporation or other organization, indicate the responsible officer and title. If more than one party is associated with the application, please attach a sheet with the necessary information marked **Block 5**.

Block 6. Address of Applicant. Please provide the full address of the party or parties responsible for the application. If more space is needed, attach an extra sheet of paper marked **Block 6**.

Block 7. Applicant's Telephone Number(s). Please provide the number where you can usually be reached during normal business hours.

Blocks 8 through 11. To be completed if you choose to have an agent.

Block 8. Authorized Agent's Name and Title. Indicate name of individual or agency, designated by you, to represent you in this process. An agent can be an attorney, builder, contractor, engineer or any other person or organization. *Note:* An agent is not required.

Blocks 9 and 10. Agent's Address and Telephone Number. Please provide the complete mailing address of the agent, along with the telephone number where he/she can be reached during normal business hours.

Block 11. Statement of Authorization. To be completed by applicant if an agent is to be employed.

Block 12. Proposed Project Name or Title. Please provide name identifying the proposed project (i.e., Landmark Plaza, Burned Hills Subdivision or Edsall Commercial Center).

Block 13. Name of Waterbody. Please provide the name of any stream, lake, marsh or other waterway to be directly impacted by the activity. If it is a minor (no name) stream, identify the waterbody the minor stream enters.

Block 14. Proposed Project Street Address. If the proposed project is located at a site having a street address (not a box number), please enter here.

Block 15. Location of Proposed Project. Enter the county and state where the proposed project is located. If more space is required, please attach a sheet with the necessary information marked **Block 15**.

Block 16. Other Location Descriptions. If available, provide the Section, Township and Range of the site and/or the latitude and longitude. You may also provide description of the proposed project location, such as lot numbers, tract numbers or you may choose to locate the proposed project site from a known point (such as the right descending bank of Smith Creek, one mile down from the Highway 14 bridge). If a large river or stream, include the river mile of the proposed project site if known.

Block 17. Directions to the Site. Provide directions to the site from a known location or landmark. Include highway and street numbers as well as names. Also provide distances from known locations and any other information that would assist in locating the site.

Block 18. Nature of Activity. Describe the overall activity or project. Give appropriate dimensions of structures such as wingwalls, dikes (identify the materials to be used in construction, as well as the methods by which the work is to be done), or excavations (length, width, and height). Indicate whether discharge of dredged or fill material is involved. Also, identify any structure to be constructed on a fill, piles or float supported platforms.

The written descriptions and illustrations are an important part of the application. Please describe, in detail, what you wish to do. If more space is needed, attach an extra sheet of paper marked **Block 18**.

Block 19. Proposed Project Purpose. Describe the purpose and need for the proposed project. What will it be used for and why? Also include a brief description of any related activities to be developed as the result of the proposed project. Give the approximate dates you plan to both begin and complete all work

Block 20. Reason(s) for Discharge. If the activity involves the discharge of dredged and/or fill material into a wetland or other waterbody, including the temporary placement of material, explain the specific purpose of the placement of the material (such as erosion control).

Block 21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards.

Describe the material to be discharged and amount of each material to be discharged within Corps jurisdiction. Please be sure this description will agree with your illustrations. Discharge material includes: rock, sand, clay, concrete, etc.

Block 22. Surface Areas of Wetlands or Other Waters Filled. Describe the area to be filled at each location. Specifically identify the surface areas, or part thereof, to be filled. Also include the means by which the discharge is to be done (backhoe, dragline, etc.). If dredged material is to be discharged on an upland site, identify the site and the steps to be taken (if necessary) to prevent runoff from the dredged material back into the waterbody. If more space is needed, attach an extra sheet of paper marked **Block 22.**

Block 23. Is Any Portion of the Work Already Complete? Provide any background on any part of the proposed project already completed. Describe the area already developed, structures completed, any dredged or fill material already discharged, the type of material, volume in cubic yards, areas filled, if a wetland or other waterbody (in acres or square feet). If the work was done under an existing Corps permit, identify the authorization if possible.

Block 24. Names and Addresses of Adjoining Property Owners, Lessees, etc. , Whose Property Adjoins the Project Site. List complete names and full mailing address of the adjacent property owners (public and private) lessees, etc., whose property adjoins the waterbody or aquatic site where the work is being proposed so that may be notified of the proposed activity (usually by public notice). If more space is needed, attach an extra sheet of paper marked **Block 24.**

Information regarding adjacent landowners is usually available through the office of the tax assessor in the county or counties where the project is to be developed.

Block 25. Information about Approvals or Denials by Other Agencies. You may need the approval of other Federal, state or local agencies for your project. Identify any applications you have submitted and the status, if any (approved or denied) of each application. You need not have obtained all other permits before applying for a Corps permit.

Block 26. Signature of Applicant or Agent. The application must be signed by the owner or other authorized party (agent). This signature shall be an affirmation that the party applying for the permit possesses the requisite property rights to undertake the activity applied for (including compliance with special conditions, mitigation, etc.).

DRAWINGS AND ILLUSTRATIONS

General Information.

Three types of illustrations are needed to properly depict the work to be undertaken. These illustrations or drawings are identified as a **Vicinity Map**, a **Plan View** or a **Typical Cross-Section Map**. Identify each illustration with a figure or attachment number.

Please submit one original, or good quality copy, of all drawings on 8½ x 11 inch plain white paper (tracing paper or film may be substituted). Use the fewest number of sheets necessary for your drawings or illustrations.

Each illustration should identify the project, the applicant, and the type of illustration (vicinity map, plan view or cross section). **While illustrations need not be professional (many small, private project illustrations are prepared by hand), they should be clear, accurate and contain all necessary information.**

*****RETURN APPLICATION AND PLANS TO:

US ARMY CORPS OF ENGINEERS
MAINE PROJECT OFFICE
RR2, BOX 1855
MANCHESTER, MAINE 04351

Public reporting burden for this collection of information is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Defense, Washington Headquarters Service Directorate of Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302; and to the Office of Management and Budget, Paperwork Reduction Project (0710-0003), Washington, DC 20503. Please DO NOT RETURN your form to either of those addresses. Completed applications must be submitted to the District Engineer having jurisdiction over the location of the proposed activity.

PRIVACY ACT STATEMENT

Authority: 33 USC 401, Section 10; 1413, Section 404. Principal Purpose: These laws require permits authorizing activities in, or affecting, navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters. Routine Uses: Information provided on this form will be used in evaluating the application for a permit. Disclosure: Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can a permit be issued.

One set of original drawings or good reproducible copies which show the location and character of the proposed activity must be attached to this application (see sample drawings and instructions) and be submitted to the District Engineer having jurisdiction over the location of the proposed activity. An application that is not completed in full will be returned.

(ITEMS 1 THRU 4 TO BE FILLED BY THE CORPS)

1. APPLICATION NO.	2. FIELD OFFICE CODE	3. DATE RECEIVED	4. DATE APPLICATION COMPLETED
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(ITEMS BELOW TO BE FILLED BY APPLICANT)

5. APPLICANT'S NAME	8. AUTHORIZED AGENT'S NAME AND TITLE (an agent is not required)
6. APPLICANT'S ADDRESS	9. AGENT'S ADDRESS
7. APPLICANT'S PHONE NOS. W/AREA CODE	10. AGENT'S PHONE NOS. W/AREA CODE
a. Residence	a. Residence
b. Business	b. Business

11. STATEMENT OF AUTHORIZATION

I hereby authorize, _____ to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application.

APPLICANT'S SIGNATURE

DATE

NAME, LOCATION AND DESCRIPTION OF PROJECT OR ACTIVITY

12. PROJECT NAME OR TITLE (see instructions)

13. NAME OF WATERBODY, IF KNOWN (if applicable)

14. PROJECT STREET ADDRESS (if applicable)

15. LOCATION OF PROJECT

COUNTY

STATE

16. OTHER LOCATION DESCRIPTIONS, IF KNOWN, (see instructions)

17. DIRECTIONS TO THE SITE

18. Nature of Activity *(Description of project, include all features)*

19. Project Purpose *(Describe the reason or purpose of the project, see instructions)*

USE BLOCKS 20-22 IF DREDGED AND/OR FILL MATERIAL IS TO BE DISCHARGED

20. Reason(s) for Discharge

21. Type(s) of Material Being Discharged and the Amount of Each Type in Cubic Yards

22. Surface Area in Acres of Wetlands or Other Waters Filled *(see instructions)*

23. Is Any Portion of the Work Already Complete? Yes ☐ No ☐ IF YES, DESCRIBE THE COMPLETED WORK

24. Addresses of Adjoining Property Owners, Lessees, Etc., Whose Property Adjoins the Waterbody (If more than can be entered here, please attach a supplemental list).

25. List of Other Certifications or Approvals/Denials Received from other Federal, State or Local Agencies for Work Described in This Application.

AGENCY	TYPE APPROVAL*	IDENTIFICATION NUMBER	DATE APPLIED	DATE APPROVED	DATE DENIED
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*Would include but is not restricted to zoning, building and flood plain permits

26. Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in this application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant.

SIGNATURE OF APPLICANT

DATE

SIGNATURE OF AGENT

DATE

The application must be signed by the person who desires to undertake the proposed activity (applicant) or it may be signed by a duly authorized agent if the statement in block 11 has been filled out and signed.

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

